

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

v.

MATTHEW CONNOLLY and
GAVIN CAMPBELL BLACK,

Defendants.

No. 1:16-cr-00370 (CM)

ECF Case

ORAL ARGUMENT REQUESTED

**DECLARATION OF SETH L. LEVINE IN SUPPORT OF DEFENDANT
GAVIN CAMPBELL BLACK'S INDIVIDUAL MOTIONS *IN LIMINE***

Seth L. Levine declares as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney at law, licensed to practice in the State of New York and a partner at Levine Lee LLP, attorneys for Defendant Gavin Campbell Black. I submit this Declaration in Support of Defendant Gavin Campbell Black's Individual Motions *in Limine*.¹

2. Annexed hereto as **Exhibit A** is a true and correct copy of excerpts of an August 28, 2008 Department of Justice memorandum from Deputy Attorney General Mark Filip titled "Principles of Federal Prosecution of Business Organizations."

3. Annexed hereto as **Exhibit B** is a true and correct copy of excerpts of agreement between Deutsche Bank AG and the Government, dated April 23, 2015.

4. Annexed hereto as **Exhibit C** is a true and correct copy of a document produced by the Government bearing Bates Nos. DOJ-A-0010359-61.

5. Annexed hereto as **Exhibit D** is a true and correct copy of a document produced by the Government bearing Bates Nos. DOJ-DB-KAST-0003526-27.

¹ Capitalized terms used herein but not defined shall have the meaning ascribed to them in Defendant Gavin Campbell Black's Individual Motions *in Limine*.

6. Annexed hereto as **Exhibit E** is a true and correct copy of a document produced by the Government bearing Bates No. DOJ-DB-KAST-0003528.

7. Annexed hereto as **Exhibit F** is a true and correct copy of a document produced by the Government bearing Bates Nos. DOJ-DB-KAST-0003458-61.

8. Annexed hereto as **Exhibit G** is a true and correct copy of a document produced by the Government bearing Bates Nos. DOJ-DB-KAST-0003470-72.

9. Annexed hereto as **Exhibit H** is a true and correct copy of a document produced by the Government bearing Bates Nos. DOJ-SFO-DB-00002676-89.

10. Annexed hereto as **Exhibit I** is a true and correct copy of an excerpt of the October 27, 2015 trial transcript in *United States v. Allen*, No. 14-cr-272 (S.D.N.Y.).

11. I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York
on this 23rd day of April, 2018

S/ Seth L. Levine
Seth L. Levine